

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 1 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE D.P.BUCH

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1. Whether Reporters of Local Papers may be allowed : YES
to see the judgements?

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?

4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge? : NO

JITENDRA TRAMBAKLAL SONI

Versus

BINDUBEN JITENDRA SONI

Appearance:

MR AR THACKER for Petitioner
MS NIRALI B MUNSHI for Respondent No. 1, 2, 3

CORAM : MR.JUSTICE D.P.BUCH

Date of decision: 04/05/2000

ORAL JUDGEMENT

This revision application under Sec.115 of the
Code of Civil Procedure, 1908, challenging the order
dated 4th November, 1999, recorded by the learned Judge
of the City Civil Court, Court No.16, Ahmedabad, in Civil
Suit No.4085 of 1997, under which the learned Judge

granted interim maintenance of Rs.3,000/- per month in favour of the respondents.

2. I have heard learned advocates for the parties and perused the papers. It appears that there are three respondents, respondent No.1 is wife, respondent Nos.2 and 3 are the minor children. The aforesaid order stands for three respondents, two of them are minors. Under the circumstances, it cannot be said that the amount of Rs.3,000/- p.m. as maintenance is on higher side. The trial court had jurisdiction to entertain the application for interim maintenance and no jurisdictional error is shown to have been committed by the learned trial Judge in fixing the maintenance as aforesaid and, therefore, there is no merit in this revision application. It is accordingly dismissed. Rule is discharged.

(D.P. Buch, J.)

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